



October 7, 2009

Senator Lawrence Bliss, Chair
Representative Charles Priest, Chair
Distinguished members of the Judiciary Committee

Re: Maine Tourism Association Comments on Public Law 2009, Chapter 230 (LD 1183), An Act to Prevent Predatory Marketing Practices Against Minors

Dear Senator Bliss, Representative Priest, and members of the Committee:

On behalf of members of the Maine Tourism Association, I thank you for the opportunity to comment on this statute that became law on September 12, 2009.

Although the initial draft of LD 1183 was not of concern to our membership, we feel there are unintended consequences of the final version which was passed into law. Maine tourism outreach includes efforts to attract families to visit Maine. It stands to reason that the legitimate and necessary marketing our members do is to families, including minors.

In speaking with our membership about this law, they let us know of some examples that would likely be banned activities under LD 1183.

- Would a Maine candy manufacturer be able to market an annual birthday club where a minor could come in on their birthday for a free treat?
- Would water parks and amusement parks be able to do direct mailings to people 18 and under? They currently sell various types of season passes and that includes capturing personal information to issue the pass.
- Would a Maine Guide be able to issue a state-mandated fishing license or hunting permit to a minor and transfer the personal information to the state?
- Would Maine ski areas be able to market youth ski programs, teams or passes to minors?
- Would Maine attractions that employ minors be able to communicate with their employees via email to extend special employee-only offers?

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We understand that proposals will be considered to fix this legislation. We appreciate the efforts the Judiciary Committee is taking to understand the original intent, to protect minors from predatory marketing, but to also help protect legitimate and necessary avenues of marketing to help Maine tourism prosper.

The Maine Tourism Association does not condone predatory marketing to minors or adults. We strongly believe our members engage in legitimate marketing to encourage people to visit our fine state and want to make sure they are able to continue those activities in the future.

We look forward to working with the committee and legislature and are happy to provide any additional information as needed.

Sincerely,

A handwritten signature in black ink, appearing to read "Vaughn Stinson", written in a cursive style.

Vaughn Stinson, CTC
Chief Executive Officer